

1. To allow the existing freestanding sign to remain at 26'6" tall, where a 12' tall sign would be allowed.
2. To allow the existing freestanding sign to remain at 198 square feet where 40 square feet is allowed.
3. Allow two (2) 28.5 square foot menu boards where a maximum of two (2) 25 square foot menu boards are permitted

Associate Planner Kirschmann presented the staff report contained in the packet and retained in the permanent files. Findings cannot be made for the request to allow the existing freestanding sign to remain at 26'6" where a 12' tall sign is allowed and to allow the existing freestanding sign to remain at 198 square feet where 40 square feet is allowed. There are no physical differences between this property and other surrounding similarly zoned commercial property. Further, case law demonstrates that variances cannot be approved due to financial hardships, community benefit, or the worthiness of the project. Findings can be made for the 3rd request to allow two 28.5 square foot menu boards where a maximum of two 25 square foot menu boards are permitted. Recommendation No. 4 is amended to read "that the Planning Commission permits the freestanding sign to remain onsite for 180 days beyond the adoption of the Sign Code. Should the Sign Code not be amended in one (1) year, the item shall be returned to the Planning Commission for consideration.

Commissioner Bridenstine expressed concern regarding lessening the amount of time to bring the sign into compliance from one year to 180 days. Deputy Town Manager Stueckle clarified that the amendment states that the sign must be brought into compliance 180 days after the sign code is amended and adopted, but if the code isn't adopted in 1 year, they must return to the Commission for review.

Commissioner Hildebrand existing sign board there can't be seen from street. Associate Planner Kirschmann correct.

Commissioner Humphreville questioned if the ordinance restricts signs behind the building where they can't be seen. Deputy Town Manager Stueckle advised there is a square footage for signage ratio based on the size of the building.

Commissioner Bridenstine questioned how soon the sign ordinance will be reviewed again. Deputy Town Manager Stueckle advised that the Commission and Council are expected to prioritize which ordinances they want to look at when, when they meet in joint session tomorrow.

Chair Humphreville opened the public hearing.

Jeff Martinez, Applicant, thanked staff for all work done they have with them on application, noting the project has been rushed through and challenging.

There being no one else wishing to speak, Chair Humphreville closed the public hearing.

Commissioner Bridenstine commented that the sign ordinance we currently have is one of the biggest complaints received at the Chamber of Commerce. People say they can't see the signs installed under the code, and she would like to the code revised sooner than later.

Chair Humphreville stated he receives the same comment regularly also and agreed with the request to revise it as soon as possible.

Commissioner Alberg moved to find the project is categorically exempt from CEQA under Section 15301, class 1, existing facilities, and: 1) deny the request to allow the existing freestanding sign to remain at 26'6" tall, where a 12' tall sign would be allowed, based upon the findings contained in the staff report; 2) deny the request to allow the existing freestanding sign to remain at 198 square feet where 40 square feet is allowed, based upon the findings contained in the staff report; 3) approve the request to allow two (2) 28.5 square foot menu boards where a maximum of two (2) 25 square foot menu boards are permitted, based upon the findings contained in the staff report; and 4) permit the freestanding sign to remain onsite for 180 days beyond the adoption of the Sign Code. Should the Sign Code not be amended in one (1) year, the item shall be returned to the Planning Commission for consideration. Commissioner Hildebrand seconded. Motion carried 5-0 on a voice vote.

DEPARTMENT REPORTS:

3. SITE PLAN REVIEW, 01-11 DOLLAR GENERAL

Request to allow the construction of a 12,480 square foot Dollar General retail building including 50 onsite parking spaces, landscaping and stormwater retention on 1.3 acres.

Associate Planner Kirschmann gave the staff report contained in the packet and retained in the Department files, noting the project is consistent with commercial design guidelines.

Commissioner Hildebrand questioned if the project would affect the widening of SR 62. Associate Planner Kirschmann advised it would not.

Tim Saivar, Applicant, advised they have read the Conditions of Approval and only have one minor comment regarding the requirement to provide a meandering wall along Hopi Trail and along 29 Palms Highway. They will have a water recycling area using plant materials along Hopi and it would be difficult to put a meandering wall in that area. Also it is their preference to provide a hedge along the highway rather than a wall. They will work with staff on those issues.

Commissioner Humphreville commented he did highlight the meandering wall noting he hasn't seen that requirement in the past. Mr. Saivar commented they have a bio swale on the Hopi side to purify the water before it reaches the storm drainage system. The meandering wall would prevent a straight flow and if they were able to use a bio swale they would have to put in a retention basin to clarify water from the parking lot.

Commissioner Alberg questioned if a wall must be put in. Associate Planner Kirschmann advised the code requires a 3' high berm that can be a solid hedge or a wall. The meandering wall was requested to offset the look

Commissioner Humphreville commented he doesn't feel they should be required to meander the wall.

Commissioner Bridenstine agreed noting that would require them to take up more land space.

Commissioner Drozd expressed concern regarding allowing hedges noting a lot of business seem to let them go and die.

Associate Planner Kirschmann questioned if the consensus is to eliminate condition P-11. The Commission agreed that they want the word "meandering" removed from the condition. The condition is amended to read "The screen walls located along SR 62 and Hopi Trail shall provide landscaping on both sides of the wall."

Commission Alberg moved, based upon the findings contained within the Staff report and the amended Conditions of Approval: a) the review and approval of the Old Town Specific Plan (OTSP) included a program environmental impact

report (EIR). The EIR evaluated future projects within the boundaries of the OTSP. The proposed project was evaluated to determine if additional CEQA documentation needed to be prepared. The proposed project will not have any effects not considered within the scope of the program EIR. The project is consistent with program EIR and will not create any additional impacts not previously considered. No additional environmental review is required; and b) to approve the development of a 12,480 square foot Dollar General retail building including 50 onsite parking spaces, landscaping and stormwater retention on 1.3 acres. Commissioner Bridenstine seconded. Motion carried 5-0 on a voice vote.

CONSENT AGENDA

4. MINUTES

A request that the Planning Commission approve as submitted the minutes of the regular meetings held on July 26, 2011

Commissioner Bridenstine moved to approve the minutes as presented.
Commissioner Hildebrand seconded. Motion carried 5-0 on a voice vote.

STAFF REPORTS AND COMMENTS

Deputy Town Manager Stueckle advised that the joint meeting on August 23rd is to discuss Phase 1 of the Development Code Analysis. As we walk through the process a number of the more recent issues will be discussed and it is anticipated that the Town Council and Planning Commission will be meeting jointly once a month or every 6 weeks to discuss specific policy topics. He noted that part of the process at the first meeting tomorrow is an opportunity to prioritize those topics.

FUTURE AGENDA ITEMS:

Deputy Town Manager Stueckle commented that the revision to the Brehm Youth Sports Park will probably be brought to the second meeting in September to create consistency between the approval and the Prop 84 grant application.

COMMISSIONER REPORTS AND REQUESTS

Vice Chairman Humphreville Welcome Commissioner Drozd

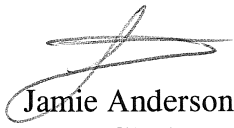
ANNOUNCEMENTS

The next regular meeting of the Yucca Valley Planning Commission is Tuesday, September 13, 2011 at 6:00 p.m. in the Yucca Valley Community Center.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:51 p.m.

Respectfully submitted,


Jamie Anderson, MMC
Town Clerk